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10/680,694	10/07/2003	Kai-Chieh Liang	SLA1325.1	6272

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EXAMINER	
TRAN, PHILIP B	

ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

4

Office Action Summary	**Application No.** 10/680,694	**Applicant(s)** LIANG, KAI-CHIEH	
	Examiner Philip B. Tran	**Art Unit** 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 October 2003*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-51 (Renumbered according to rule 1.126)* is/are pending in the application.
4a) Of the above claim(s) *15-26 and 41-51* is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-14 and 27-40* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☒ Claim(s) *1-51* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a)☐ All b)☐ Some * c)☐ None of:
1.☐ Certified copies of the priority documents have been received.
2.☐ Certified copies of the priority documents have been received in Application No. _____.
3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *10/7/2003*.
4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. *see Attached*.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 47-49 (note: second claims 47 and 48) have been renumbered as claims 49-51 by the examiner.

2. Claims 1, 4, 6, 7-9, 11, 27, 30, 32, 33-35 and 37 are objected to because of the following informalities:

In claim 1, abbreviation “MPEG-2” should be replaced by “Moving Picture Coding Expert Group 2 (MPEG-2)” and abbreviation “TS” should be replaced by “Transport Stream (TS)” and abbreviation “MPEG-4” should be replaced by “Moving Picture Coding Expert Group 4 (MPEG-4)”.

In claim 4, abbreviation “BIFS” should be replaced by “Binary Format For Scenes (BIFS)”.

In claim 6, abbreviation “BIOP” should be replaced by “Broadcast Inter-Object Request Broker Protocol (BIOP)” and should abbreviation “DSM” be replaced by “Directory Structure Module (DSM)”?

In claim 7, abbreviation “DSI” should be replaced by “Download Server Initiate (DSI)” and abbreviation “IOR” should be replaced by “Interoperable Object Reference

(IOR)" and abbreviation "MPEG-4" should be replaced by "Moving Picture Coding Expert Group 4 (MPEG-4)".

In claim 8, abbreviation "MPEG-2" should be replaced by "Moving Picture Coding Expert Group 2 (MPEG-2)" and abbreviation "TS" should be replaced by "Transport Stream (TS)" and abbreviation "MPEG-4" should be replaced by "Moving Picture Coding Expert Group 4 (MPEG-4)".

In claim 9, abbreviation "MPEG-2" should be replaced by "Moving Picture Coding Expert Group 2 (MPEG-2)" and abbreviation "TS" should be replaced by "Transport Stream (TS)" and abbreviation "MPEG-4" should be replaced by "Moving Picture Coding Expert Group 4 (MPEG-4)".

In claim 11, abbreviation "MPEG-2" should be replaced by "Moving Picture Coding Expert Group 2 (MPEG-2)" and abbreviation "TS" should be replaced by "Transport Stream (TS)" and abbreviation "MPEG-4" should be replaced by "Moving Picture Coding Expert Group 4 (MPEG-4)".

In claim 27, abbreviation "MPEG-2" should be replaced by "Moving Picture Coding Expert Group 2 (MPEG-2)" and abbreviation "TS" should be replaced by "Transport Stream (TS)" and abbreviation "MPEG-4" should be replaced by "Moving Picture Coding Expert Group 4 (MPEG-4)".

In claim 30, abbreviation "BIFS" should be replaced by "Binary Format For Scenes (BIFS)".

In claim 32, abbreviation “BIOP” should be replaced by “Broadcast Inter-Object Request Broker Protocol (BIOP)” and should abbreviation “DSM” be replaced by “Directory Structure Module (DSM)” ?

In claim 33, abbreviation “DSI” should be replaced by “Download Server Initiate (DSI)” and abbreviation “IOR” should be replaced by “Interoperable Object Reference (IOR)” and abbreviation “MPEG-4” should be replaced by “Moving Picture Coding Expert Group 4 (MPEG-4)”.

In claim 34, abbreviation “MPEG-2” should be replaced by “Moving Picture Coding Expert Group 2 (MPEG-2)” and abbreviation “TS” should be replaced by “Transport Stream (TS)” and abbreviation “MPEG-4” should be replaced by “Moving Picture Coding Expert Group 4 (MPEG-4)”.

In claim 35, abbreviation “MPEG-2” should be replaced by “Moving Picture Coding Expert Group 2 (MPEG-2)” and abbreviation “TS” should be replaced by “Transport Stream (TS)” and abbreviation “MPEG-4” should be replaced by “Moving Picture Coding Expert Group 4 (MPEG-4)”.

In claim 37, abbreviation “MPEG-2” should be replaced by “Moving Picture Coding Expert Group 2 (MPEG-2)” and abbreviation “TS” should be replaced by “Transport Stream (TS)” and abbreviation “MPEG-4” should be replaced by “Moving Picture Coding Expert Group 4 (MPEG-4)”.

Appropriate corrections are required.

Election/Restriction

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-14 and 27-40, drawn to a method and system of computer-to-computer network data addressing, classified in class 709, subclass 245.

II. Claims 15-26 and 41-51, drawn to a method and system of computer-to-computer network data streaming, classified in class 709, subclass 231.

4. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as method and system of accessing an address using an URI, classified in a different Class/Subclass. Invention II has separate utility such as method and system of broadcasting the MPEG-2 transport stream file, classified in a different Class/Subclass. See MPEP § 806.05(d).

5. The inventions are distinct, each from the other, because of the following reasons:

(a) These inventions have acquired a separate status in the art as shown by their different classifications.

(b) The search required for each Group is different and not co-extensive for examination purposes.

For example, the searches for the two inventions would not be co-extensive because these Groups would require different searches on PTO's classification class and subclass as following:

The Group I search (claims 1-23) would require use of search Class 709, subclass 245 (not require for the invention II).

The Group II search (claims 24-47) would require use of search Class 709, subclass 231 (not require for the invention I).

For the reasons given above restriction for examination purposes as indicated is proper.

6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48 (b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48 (b) and by the fee required under 37 CFR 1.17 (i).

8. During a telephone conversation with Mr. Maliszewski (Reg. No. 38,054) on 08/30/2007 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-14 and 27-40. Affirmation of this election must be made by the applicant in replying to this Office Action. Claims 15-26 and 41-51 are withdrawn from consideration by the examiner, 37 CFR 1.142 (b), as being drawn to a non-elected invention.

Double Patenting

9. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

10. Claims 1-14 and 27-40 of the instant application are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over some claims of U.S. Patent Application Pub. No. US 2005/0081143 A1 (Co-pending Application No. 10/670,949). Although the conflicting claims are not identical, they are not patentably distinct from each other because some claims of the Co-pending Application No. 10/670,949 encompass the scope of claims 1-14 and 27-40 of the instant application.

Regarding claim 1, claim 1 of Co-pending Application No. 10/670,949 contains every element of claim 1 of the instant application and as such anticipate claim 1 of the instant application.

Co-pending Application No. 10/670,949 does not specifically claim a packetized American advanced television system committee (ATSC) transport stream file system (TSFS).

However, the background section of the Co-pending Application No. 10/670,949 (or the instant application) discloses American advanced television system committee (ATSC) and method for carriage of MPEG-4 content on MPEG-2 transport stream with transport stream packetization and multiplexing [see the Co-pending Application No. 10/670,949 specification, Paragraphs 0004-0007 or the instant application's specification, Paragraphs 0005-0008]. This suggests a packetized American advanced television system committee (ATSC) transport stream file system (TSFS).

Regarding claim 2, claim 2 of Co-pending Application No. 10/670,949 is analogous to claim 2 of the instant application.

Regarding claim 4, claim 6 of Co-pending Application No. 10/670,949 is analogous to claim 4 of the instant application.

Regarding claim 5, claim 7 of Co-pending Application No. 10/670,949 is analogous to claim 5 of the instant application.

Regarding claim 6, claim 8 of Co-pending Application No. 10/670,949 is analogous to claim 6 of the instant application.

Regarding claim 9, claim 9 of Co-pending Application No. 10/670,949 is analogous to claim 9 of the instant application.

Regarding claim 10, claim 10 of Co-pending Application No. 10/670,949 is analogous to claim 10 of the instant application.

Regarding claim 11, claim 11 of Co-pending Application No. 10/670,949 is analogous to claim 11 of the instant application.

Regarding claim 12, claim 14 of Co-pending Application No. 10/670,949 is analogous to claim 12 of the instant application.

Regarding claim 13, claim 13 of Co-pending Application No. 10/670,949 is analogous to claim 13 of the instant application.

Regarding claim 27, claim 26 of Co-pending Application No. 10/670,949 is analogous to claim 27 of the instant application.

Regarding claim 28, claim 27 of Co-pending Application No. 10/670,949 is analogous to claim 28 of the instant application.

Regarding claim 30, claim 31 of Co-pending Application No. 10/670,949 is analogous to claim 30 of the instant application.

Regarding claim 31, claim 32 of Co-pending Application No. 10/670,949 is analogous to claim 31 of the instant application.

Regarding claim 32, claim 33 of Co-pending Application No. 10/670,949 is analogous to claim 32 of the instant application.

Regarding claim 36, claim 35 of Co-pending Application No. 10/670,949 is analogous to claim 36 of the instant application.

Regarding claim 37, claim 36 of Co-pending Application No. 10/670,949 is analogous to claim 37 of the instant application.

Regarding claim 38, claim 39 of Co-pending Application No. 10/670,949 is analogous to claim 38 of the instant application.

Regarding claim 39, claim 38 of Co-pending Application No. 10/670,949 is analogous to claim 39 of the instant application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 1, 10-13, 27 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (Hereafter, APA), Specification of the Instant Application (U.S. Pat. Application Pub. No. US 2005/0080840 A1) in view of Carsten Herpel (Hereafter, Herpel), “Elementary Stream Management in MPEG-4”, IEEE, March 1999.

Regarding claim 1, APA teaches a uniform resource identifier (URI) pointer method for the referencing of MPEG-4 data resources carried in an American advanced television systems committee (ATSC) MPEG-2 transport stream file system (TSFS) [see APA, Paragraphs 0005-0008] the method comprising receiving an MPEG-2 TS, with a packetized ATSC TSFS [see APA, Paragraphs 0007-0008] and locating a URI in the TS and in response to the URI, accessing an address [see APA, Fig. 1 and Paragraphs 0016-0026].

APA does not explicitly teach retrieving MPEG-4 resources in response to accessing the address and decoding the MPEG-4 resources.

However, Herpel, in the same field of stream management in MPEG endeavor, discloses encapsulating MPEG-4 streams in an MPEG-2 transport stream and retrieving MPEG-4 resources in response to accessing the address and decoding the MPEG-4 resources [see Herpel, Pages 319-322]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Herpel into the teaching of APA in order to efficiently deliver MPEG-4 content based upon MPEG-2 transport protocols by using existing ATSC MPEG-2 methodologies.

Regarding claim 10, APA further teaches the method of claim 1 wherein retrieving MPEG-4 resources from ATSC TSFS, in response to accessing the address, includes retrieving MPEG-4 resources selected from the group including audio, video, and systems data [see Paragraph 0008].

Regarding claims 11-12, APA does not explicitly teach the method of claim 10 wherein decoding the MPEG-4 resources includes an action selected from the group including enhancing audio data in the MPEG-2 TS, enhancing video data in the MPEG-2 TS, using the systems data to establish an interactive audiovisual scene and communication link, and establishing an interactive audiovisual scene and communication link in response to decoding MPEG-4 systems data.

However, Herpel, in the same field of stream management in MPEG endeavor, discloses encapsulating MPEG-4 streams in an MPEG-2 transport stream and retrieving MPEG-4 resources in response to accessing the address and decoding the MPEG-4 resources and enhancing video data in the MPEG-2 TS, and using the systems data to establish an interactive audiovisual scene and communication link [see Herpel, Pages 319-322]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Herpel into the teaching of APA in order to efficiently deliver MPEG-4 content based upon MPEG-2 transport protocols by using existing ATSC MPEG-2 methodologies.

Regarding claim 13, APA does not explicitly teach the method of claim 1 further comprising: caching the retrieved MPEG-4 resources. However, Herpel, in the same field of stream management in MPEG endeavor, discloses encapsulating MPEG-4 streams in an MPEG-2 transport stream and retrieving MPEG-4 resources in response to accessing the address and decoding the MPEG-4 resources and enhancing video data in the MPEG-2 TS, and caching the retrieved MPEG-4 resources [see Herpel, Pages 319-322]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Herpel into the teaching of APA in order to efficiently store MPEG-4 content for an easy accessing and retrieval for later use.

Claim 27 is rejected under the same rationale set forth above to claim 1.

Claims 36-39 are rejected under the same rationale set forth above to claims 10-13.

13. Claims 2-9, 14 and 28-35 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (Hereafter, APA), Specification of the Instant Application (U.S. Pat. Application Pub. No. US 2005/0080840 A1) in view of Carsten Herpel (Hereafter, Herpel), "Elementary Stream Management in MPEG-4", IEEE, March 1999 and further in view of Waki, et al (Hereafter, Waki), European Patent Application No. EP 1045564 A1.

Regarding claims 2-3, APA and Herpel teach accessing an address in response to the URI includes accessing an address selected from the group including an http address [see APA, Fig. 1 and Paragraphs 0016-0026; Herpel, Pages 316-317 & 323]. APA and Herpel do not explicitly teach the method of claim 1 wherein accessing an address in response to the URI includes accessing an address selected from the group including a local identifier (lid) wherein accessing an address includes accessing a lid URI providing a binding name and access scheme to the objects. However, Waki, in the same field of broadcasting MPEG files in the network endeavor, discloses a local identifier to provide binding name and access scheme to the objects [see Waki, Paragraphs 0006-0042]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Waki into the teaching of APA and Herpel for an easy access and retrieval of objects later.

Regarding claim 4, APA further teaches using a URI embedded in an Initial Object Descriptor (IOD) to locate resources in the TSFS selected from the group including a BIFS scene description stream and an object descriptor stream [see APA, Paragraphs 0016-0026].

APA and Herpel do not explicitly teach using lid URI. However, Waki, in the same field of broadcasting MPEG files in the network endeavor, discloses a local identifier to provide binding name and access scheme to the objects [see Waki, Paragraphs 0006-0042]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Waki into the teaching of APA and Herpel for an easy access and retrieval of objects later.

Regarding claims 5-6, APA and Herpel do not explicitly teach the method of claim 4 wherein receiving an MPEG-2 TS, with a packetized ATSC TSFS, includes forming MPEG-4 resources in a hierarchical directory structure wherein forming a hierarchical directory structure includes forming a hierarchical directory structure of BIOP objects including a DSM::ServiceGateway, a DSM::Directory, and a DSM::File.

However, Waki, in the same field of broadcasting MPEG files in the network endeavor, discloses forming MPEG-4 resources in a hierarchical directory structure [see Waki, Paragraphs 0006-0042]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Waki into the teaching of APA and Herpel for an easy access and retrieval of objects later.

Regarding claim 7, APA and Herpel do not explicitly teach the method of claim 6 wherein retrieving MPEG-4 resources from the ATSC TSFS, in response to accessing the address, includes: locating a DSI message, extracting the IOR for the Service Gateway, parsing the Service Gateway object, extracting IORs for Directory and File objects from the Service Gateway binding structure, and acquiring MPEG-4 resources from the file objects.

However, Waki, in the same field of broadcasting MPEG files in the network endeavor, discloses locating a DSI message, extracting the IOR for the Service Gateway, parsing the Service Gateway object, extracting IORs for Directory and File objects from the Service Gateway binding structure, and acquiring MPEG-4 resources from the file objects [see Waki, Paragraphs 0006-0042]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Waki into the teaching of APA and Herpel to efficiently deliver MPEG-4 content based upon MPEG-2 transport protocols by using existing ATSC MPEG-2 methodologies.

Regarding claim 8, APA further teaches the method of claim 6 wherein receiving an MPEG-2 TS, with a packetized ATSC TSFS, includes receiving an MPEG-4 audio/video stream embedded in the MPEG-2 TS in accordance with ISO/IEC 13818 encapsulation standards, and the method comprising: retrieving the MPEG-4 stream and, wherein decoding the MPEG-4 resources includes decoding the resource retrieved from the ATSC TSFS [see APA, Fig. 1 and Paragraphs 0016-0026].

APA does not explicitly teach retrieving MPEG-4 resources audio/visual stream from the MPEG-2 TS and decoding the MPEG-4 resources.

However, Herpel, in the same field of stream management in MPEG endeavor, discloses encapsulating MPEG-4 streams in an MPEG-2 transport stream and retrieving MPEG-4 resources and decoding the MPEG-4 resources together with the retrieved MPEG-4 audio/visual stream [see Herpel, Pages 319-322]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Herpel into the teaching of APA in order to efficiently deliver MPEG-4 content based upon MPEG-2 transport protocols by using existing ATSC MPEG-2 methodologies.

APA and Herpel do not explicitly teach forming a hierarchical directory structure includes forming a hierarchical directory structure of BIOP objects including a DSM::ServiceGateway, a DSM::Directory, and a DSM::File.

However, Waki, in the same field of broadcasting MPEG files in the network endeavor, discloses forming MPEG-4 resources in a hierarchical directory structure [see Waki, Paragraphs 0006-0042]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Waki into the teaching of APA and Herpel for an easy access and retrieval of objects later.

Regarding claim 9, APA teaches a uniform resource identifier (URI) pointer method for the referencing of MPEG-4 data resources carried in an American advanced television systems committee (ATSC) MPEG-2 transport stream file system (TSFS) [see APA, Paragraphs 0005-0008] the method comprising receiving an MPEG-2 TS, with a packetized ATSC TSFS [see APA, Paragraphs 0007-0008] and locating a URI in the TS and in response to the URI, accessing an address [see APA, Fig. 1 and Paragraphs 0016-0026].

APA does not explicitly teach retrieving MPEG-4 resources in response to accessing the address and decoding the MPEG-4 resources.

However, Herpel, in the same field of stream management in MPEG endeavor, discloses encapsulating MPEG-4 streams in an MPEG-2 transport stream and retrieving MPEG-4 resources in response to accessing the address and decoding the MPEG-4 resources [see Herpel, Pages 319-322]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Herpel into the teaching of APA in order to efficiently deliver MPEG-4 content based upon MPEG-2 transport protocols by using existing ATSC MPEG-2 methodologies.

APA and Herpel do not explicitly teach accessing an address in response to the URI includes accessing an address selected from the group including a local identifier (lid) wherein accessing an address includes accessing a lid URI providing a binding name and access scheme to the objects.

However, Waki, in the same field of broadcasting MPEG files in the network endeavor, discloses a local identifier to provide binding name and access scheme to the objects [see Waki, Paragraphs 0006-0042]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Waki into the teaching of APA and Herpel for an easy access and retrieval of objects later.

Regarding claim 14, APA and Herpel do not explicitly teach accessing an address in response to the URI includes accessing an address selected from the group including a local identifier (lid) wherein accessing an address includes accessing a lid URI providing a binding name and access scheme to the objects and accessing an address in response to the URI includes additionally accessing an address selected from the group including a local cache address and a Web protocol identifier, and the method further comprising: retrieving MPEG-4 resources, in response to accessing the address, from a source selected from the group including a local cache and a website.

However, Waki, in the same field of broadcasting MPEG files in the network endeavor, discloses a local identifier to provide binding name and access scheme to the objects and retrieving MPEG-4 resources, in response to accessing the address, from a source selected from the group including a local cache and a website [see Waki, Paragraphs 0006-0042]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Waki into the teaching of APA and Herpel in order to efficiently store MPEG-4 content for an easy accessing and retrieval for later use.

Claim 27 is rejected under the same rationale set forth above to claim 1.

Claims 28-35 are rejected under the same rationale set forth above to claims 2-9.

Claim 40 is rejected under the same rationale set forth above to claim 14.

Other References Cited

14. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A) Stone, U.S. Pat. Application Pub. No. US 2003/0056224 A1.

B) Dufourd et al, U.S. Pat. Application Pub. No. US 2004/0054653 A1.

C) Yokomizo, U.S. Pat. Application Pub. No. US 2002/0124263 A1.

D) Kalva et al, WO 99/39272.

E) Yoo et al, U.S. Pat. Application Pub. No. US 2005/0084248 A1.

15. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Philip Tran
PHILIP TRAN
PRIMARY EXAMINER
Art Unit 2155
Aug 30, 2007